



July 26, 2006

The Honorable Jane Harman
United States House of Representatives
Washington, DC 20515

Dear Representative Harman,

I am writing on behalf of the members of Patriots to Restore Checks and Balances (PRCB) to express our deep concern with H.R.5825, the NSA WiSH bill sponsored by Reps. Wilson, Sensenbrenner and Hoekstra.

We believe there must be a careful and thorough investigation into the true nature and consequences of President Bush's domestic surveillance programs before changing rules that were scrutinized to protect Americans' rights. The liberty guaranteed in our Constitution depends on checks and balances and it is the duty of our elected officials to protect this foundation of democracy, not weaken it.

But the NSA WiSH bill does just that – by allowing the warrantless searches to continue, the measure weakens the privacy and liberty of American citizens, while expanding the power of the executive branch. In the event of any attack, the bill would essentially void Americans' individual rights to privacy. The president would be allowed to monitor any conversations and individuals in 45-day increments, with the "option" of seeking a court order at the end of 90 days. The NSA WiSH bill also redefines "electronic surveillance" to exclude the monitoring of all international calls and e-mails, even those to friends, family members and businesses abroad. This would essentially give the NSA unlimited access to private communications from individuals not suspected of any terrorist involvement. We believe in limited government, independent courts, legislative oversight and individual responsibility - the NSA WiSH bill violates all of these principles.

Now is not the time for Congress to subordinate itself to the executive branch. This bill would give this and future presidents sweeping unchecked powers over the private communications of American citizens, sending this nation down the slippery slope toward Big Brother government. Now is the time for conservatives to be true to their fundamental principles and insist that the protections of the Fourth Amendment be honored. The procedures that protect our God-given right to liberty and property are threatened by such proposals however well intentioned they may be.

Congress has already passed laws such as FISA, as amended by the Patriot Act, that give the president and NSA the tools needed to track and halt terrorists, while preserving the Constitution's command of judicial review of wiretaps and physical searches. The NSA WiSH bill would only serve to erode the delicate system of checks and balances upon which our democracy is built, giving the executive branch carte blanche to spy on Americans. With laws already allowing wiretaps on Americans who aid the enemy, the federal anti-terrorism budget should not be wasted on monitoring the communications of Americans who have done absolutely nothing wrong.

With the House Intelligence Committee considering H.R.5825 this week, we urge you to preserve the fundamental freedoms designed by our Founding Fathers and reject this bill. The future of American liberty is indeed at stake.

Sincerely,

A handwritten signature in black ink, appearing to be 'BR' or 'Barr', written in a cursive style.

Bob Barr
Member of Congress, 1995-2003
Chairman, Patriots to Restore Checks and Balances